IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 33985 of 2006(U)

EP.39/2003 of SUB COURT, MANJERI
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PETITIONER:

UMMUSALMA, D/O. UNNIHASSAN,
AGED 40 YEARS, MUDAMANGALATH HOUSE, MUNDERI,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:
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1. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES,MANJERI,MALAPPURAM DISTRICT

2. THE NILAMBUR TALUK HOUSING CO-OPERATIVE
SOCIETY LTD. NO.42, NILAMBUR, MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

BY GOVERNMENT PLEADER SRI.P.K. RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).33985/2006

APPENDIX

PETITIONERS' EXHIBIT

EXT.P1- TRUE COPY OF THE PETITION FILED BY THE 2ND RESPONDENT BEFORE THE SUB COURT, MANJERI AS E.P.NO.39/03 DATED 20.2.2003

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 33985/2006

Dated this the 11th day of January, 2007

JUDGMENT

The writ petitioner is the defaulter to the second respondent, Society. Proceedings had been initiated against the writ petitioner and the property had been brought to sale. The prayer of the writ petitioner, therefore, is to direct the second respondent not to confirm the sale and also to allow the petitioner to clear the dues to the second respondent.

2. When the writ petition came up for consideration on 20.12.2006, notice was ordered to respondents 1 and 2. The office reports that no steps had so far been taken. However, an interim stay as prayed for, was granted upto 11.1.2007. Hence the matter came up today.

3. In the above facts and circumstances, after hearing the counsel for the writ petitioner, I dispose of this petition directing the writ petitioner to approach the

second respondent with a representation within ten days from today, requesting for an One Time Settlement, making payments as per the Kerala Co-operative Societies Act and Rules, including the expenses incurred for conducting the sale.

4. The second respondent shall hear the petitioner and receive the amount from him, as per the One Time Settlement scheme, and pass appropriate orders. This shall be done within one month from the date of receipt of representation for One Time Settlement. There shall be no coercive action against the writ petitioner, till the order is passed as directed above by the second respondent.

J.M.JAMES
JUDGE

mrcs